



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

### Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop: Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on August 26, 2004

Date

Geraldine Gress

Reed Smith LLP  
599 Lexington Avenue  
29th Floor  
New York, New York 10022-7650  
Tel: 212-521-5400; Fax: 212-521-5450

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Applicant: Oren Globerman, et al.  
Serial No: 09/890,172  
Filing Date: July 25, 2001  
For: EXPANDABLE INTERVERTEBRAL SPACER  
Enclosures: (1) Combined Amendment & Petition For Extension of Time (3 pages);  
(2) Amendment (22 pages);  
(3) Acknowledgement Postcard.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JW 3738



410/02239 A05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: O. GLOBERMAN et al.  
Serial Number: 09/890,172  
Filed: July 25, 2001  
For: EXPANDABLE INTERVERTEBRAL SPACER  
Art Unit: 3738  
Examiner: Prebilic, Paul B

Mail Stop Amendment  
Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to a Final Office Action dated March 26, 2004, kindly amend the application as follows:

08/31/2004 MBLAND 00000062 033419 09890172  
01 FC:2202 18.00 DA